

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

ROBERTO HINOJOSA-CASTILLO,
#32241079

§

VS.

§

CIVIL ACTION NO. 5:04cv252

DAVID G. JUSTICE, WARDEN

§

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. The Report recommended dismissal without prejudice.

No objections were filed. On June 15, 2005, the copy of the Report and Recommendation mailed to Petitioner was returned as undeliverable with the notation that Petitioner has been released.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. In light of Petitioner's release, however, the petition should be dismissed with prejudice. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is **DISMISSED WITH PREJUDICE** as moot; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 6th day of July, 2005.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE